

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CONSOLIDATION COAL COMPANY,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE
INTERIOR, NATIONAL PARK SERVICE,

and

CAROL D. SCHULL, individually and in her
capacity as the Keeper of the National Register of
Historic Places,

and

ROY BRENDDEL and DIANE BRENDDEL,

Defendants.

ROY BRENDDEL and DIANE BRENDDEL,

Third-Party Plaintiffs,

v.

UNITED STATES DEPARTMENT OF INTERIOR,
OFFICE OF SURFACE MINING RECLAMATION
AND ENFORCEMENT,

and

THOMAS F. HOFFMAN, individually and in his
official capacity as Vice President, Investor and
Public Relations, CONSOL Energy,

Third-Party Defendants.

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ORDER OF COURT

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AND NOW, this 23rd day of November, 2005, upon consideration of Plaintiff Consolidation Coal Company's Motion for Leave of Court to File Amended Complaint, it is hereby ORDERED that Plaintiff's Motion is granted. Plaintiff shall file its Amended Complaint within twenty days of the date of this Order.

s/ David Stewart Cercone

United States District Judge